

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:02-CV-385-RJC-DCK**

<b>ASPEX EYEWEAR, INC., et. al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>UNITED SYNTEK CORPORATION,</b>	)	
<b>d/b/a Jonathan Cate Eyewear,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER IS BEFORE THE COURT** *sua sponte* for scheduling purposes. At a Status and Motions Hearing on July 17, 2007, the undersigned granted “Plaintiffs’ Combined Motion For Extension Of Deadlines Contained In The Court’s August 10, 2005 Order, And Motion To Compel Discovery” (Document No. 35) and then instructed the parties to submit a new proposed scheduling order. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b) and is now ripe for review.

The undersigned will adopt the parties’ proposed order with minor modification. Scheduling dates shall be strictly adhered to unless otherwise ordered by the Court and the undersigned notes that further extensions in this matter are unlikely short of extraordinary circumstances.

**IT IS, THEREFORE, ORDERED** that the schedule for this case is revised as follows:

Deadline to Amend/Supplement Pleadings	August 31, 2007
Close of Fact Discovery	November 30, 2007
Close of Expert Discovery	December 15, 2007
Deadline for Report on Mediation	December 31, 2007

Deadline for Parties to Exchange Disputed  
Claim Terms

January 15, 2008

Deadline for Parties to Meet and Confer to  
Attempt to Limit Disputed Claim Terms

January 21, 2008

Plaintiffs' Markman Brief

February 15, 2008

Defendant's Responsive Markman Brief

March 14, 2008

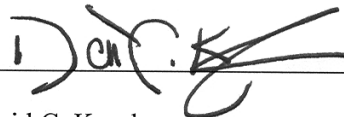
Plaintiffs' Reply Markman Brief

April 4, 2008

**IT IS FURTHER ORDERED** that dates for a Markman hearing, dispositive motions  
deadline and trial will be set by the Court at a later date, as necessary.

**SO ORDERED.**

Signed: August 24, 2007

  
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David C. Keesler  
United States Magistrate Judge

